REMARKS

The following remarks address all issues raised in the pending non-final action.

Applicant notes respectfully that this response is the fifth response to actions on the merits in this case, each time without amendment to any independent claim.

Applicant again respectfully requests an interview with the examiner if the case is not deemed allowable in light of the remarks.

Applicant has reviewed carefully the pending rejections made under §102 and §103 and premised upon the teachings of Ballard (US 6,182,050), alone or in combination with other publications and respectfully traverses.

Rejection Made Under §§102 and 103

All claims 1-31 stand rejected under 35 U.S.C. 102 or 103 as being anticipated or rendered obvious by Ballard. Applicant respectfully disagrees.

Ballard is a very different type of system than the system claimed. In particular, the claimed subject matter produces the content to be displayed to the user. Specifically, claim 1 recites that the system includes:

> a correlation module for correlating the gathered information with the
> available data content to produce a set of content corresponding to said gathered
> information, and for directing said content to said end user.

The produced content may contain a link to additional content, as recited in claim 6 as originally filed, and if the user chooses to activate that link, the end user computer will generate a request and additional content will be delivered to the user. But this reaching out to a remote server is an optional step, as the main system itself – as explicitly recited in claim 1- produces content for the user. Applicant's system thus can add value to the end-user even if the end-user does not click

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on a link associated the advertisement. For example, the system can display an advertisement such as "Use drug Y for disease Z" that has the effect of creating awareness without the need for the end-user to click the advertisement at all. Thus the claimed system, without ever needing the end-user to click or ever reaching out to third party servers with the end-user-provided information, provides user-specific ads with extra levels of privacy protection beyond that of Ballard.

In contrast, Ballard teaches a system that *fetches* remote content to be displayed, but does not produce content to be displayed. As discussed in Ballard at, for example, column 12 at lines 61-65, (but in other places as well) the system disclosed in Ballard, on its own, will reach out to a third party web site and request from that web site content (typically an advertisement) that will be displayed to the user. The Ballard system does this because Ballard lacks a correlation module that will produce a set of content and direct that content to the end user.

This is not an unimportant distinction as producing content locally increases substantially the privacy to the user, an important matter in certain applications, such as when a patient has recently been diagnosed with a medical condition and would like some privacy when searching the Internet for information about their conditions. As disclosed in applicant's application, a user can review a list of URLs related to findings (symptoms) and diseases. When a user clicks on a finding or disease the program produces and displays some text offering more information; i.e. effectively displays an advertisement with a hyperlink to a web site of, for example, a pharmaceutical company offering a drug for the disease. Thus the claimed system is indeed more isolated in that the advertisements are produced in the software without consulting a third-party server, and the optional hyperlinks in these advertisements may be to sites of advertisers, not to advertisements that have been targeted to people with certain demographic data – which effectively reveals to the advertiser the condition the end user is addressing. By producing the content in the end user's computer, the claimed system provides increased privacy protection.

Importantly, every embodiment of Ballard reaches out to remote server to request an advertisement that has parameters that reveal some information (i.e. affinity data) about the user requesting the data. Thus, Ballard is a targeted advertising system that inherently must reveal to a

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third party advertiser some information about the end-user. Specifically, the Ballard system and process collects a particular advertisement from a third party site because the end user has personal information that matches with the targeting criteria of that advertisement – and that targeting criteria is known to the third party advertiser and *per se* descriptive of the personal information of the end user. Thus, Ballard's promise of privacy is a false promise because Ballard, in every case, reaches for an ad that the advertiser knows matches some personal information, whether demographic information or personal interest information, of the end-user.

In contrast to the system of Ballard, the system of claim 1, by producing data on a computer achieves increased security. Applicant's claimed system is a leap over the prior art of Ballard and other existing systems today, such as Google in that it provides a higher level of personal security and privacy since the advertisements are produced by the system, typically as noted in the disclosure from a local table. For example, as set out in claim 17 and as supported by the specification as originally filed, Applicant's process can use a diagnostic tool to collect medical information from a user. This process of collecting medical information can be used to produce advertisements from a local database of disease and finding associations, not requiring a request from a server. Nothing in Ballard or any of the cited art teaches such a process or system.

Finally, nothing in any of the cited publications addresses the fact that people want to keep their medical health private, while at the same time wanting to accept information and ads about products and treatments that are relevant to them. As noted in the Action, Ballard does not speak to information pertaining to health. But just as importantly, none of the cited art bridges the gap between Ballard and the claimed invention of claim 4. None teach generating medical data on the fly based on user responses and using it to generate ads in a way that is isolated from third parties and none teach a system that lets a doctor receive ads based on the medical conditions of his patients. Yet this is exactly the subject matter being rejected at pages 4 and 5 of the Office Action.

While having different scope, base claims 14 and 27 include the same or similar feature of "a protective zone located within the end user's computer and isolated from third parties." Accordingly, for the same reasons discussed above, the §102 and §103 rejections of all claims are to

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be withdrawn. In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes a fee is due with this response. Please charge $525.00 to our Deposit Account No. 18-1945, under Order No. SIMU-P01-003 from which the undersigned is authorized to draw.

Dated: July 9, 2008

Respectfully submitted,

By_____

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